

**FOURTH DAY**

(Continued)

Wednesday, January 20, 1965

**After Recess**

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

**Resolutions Signed**

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 4, Congratulating the Archer City High School Football Team.

H. C. R. No. 3, Postponing inauguration of Governor and Lieutenant Governor and setting same for Tuesday, January 26, 1965.

**Senate Bills and Resolutions on First Reading**

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**By Senator Word:**

S. B. No. 59, A bill to be entitled "An Act amending Chapter III, Article 12; Chapter IV, Article 1; Chapter IV, Article 6, as amended; Chapter V, Article 3; Chapter V, Article 5; Chapter V, Article 6; Chapter V, Article 8; all of said chapters and articles being a part of the Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943; amending Subsection (c) of Section 2, Article 4, as contained in Section 4 of Acts, 58th Legislature, Regular Session, Chapter 81, Page 134, codified as Subsection (c) of Section 2, Article 342-504, Vernon's Texas Civil Statutes (a part of Article 4, Chapter V, of the Texas Banking Code of 1943, as amended); amending Section 1c, Acts 1955, 54th Legislature, Regular Session, Chapter 16, Page 19, as amended; and transferring the provisions of Acts 1955, 54th Legislature, Regular Session, Chapter 16, Page 19, as amended (now codified as Article 4591d, Vernon's Texas Civil Statutes), making same a part of Chapter IX of the Texas Banking Code of 1943, to be designated as Article 10a thereof; authorizing stock

option plans for state banks, with certain restrictions; providing for perpetual or limited corporate existence for state banks; requiring notice to the Commissioner in certain cases where stock of a state bank is transferred, and providing punishment for violations; providing for filling vacancies and adding directors, with certain limitations, on boards of directors of state banks; redefining the right of state banks to engage in trade or commerce; authorizing certain real estate loans, with limitations; authorizing investment in and loans upon security of insured savings accounts issued by certain savings and loan associations; providing the maximum rate of interest that banks may charge for certain types of installment loans and repealing that portion of Chapter V, Article 6 of the Texas Banking Code of 1943 relating to the authority of a state bank to make loans and take as collateral therefor its investment certificates issued simultaneously with the granting of the loans or otherwise; redefining charges which state banks may make in connection with loans, prohibiting charges and fees other than those authorized; providing that when certain designated bank holidays fall on Sunday, then the Monday next following such Sunday shall be a legal holiday for banking purposes on which each bank and trust company in Texas shall remain closed; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To the Committee on Banking.

**By Senator Spears:**

S. B. No. 60, a bill to be entitled "An Act amending and re-enacting Sections 1 through 46 of Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, relating to the issuance, expiration, renewal, cancellation, suspension and revocation of operator's, commercial operator's, and chauffeur's driver's licenses, and relating to violations, remitting of fees, penalties, reporting requirements and other general provisions; providing rules of construction; providing a saving clause; repealing laws in conflict; providing for severability; and declaring an emergency."

To the Committee on State Affairs.

By Senators Spears and Kennard:

S. J. R. No. 11, Proposing an amendment to Sections 2 and 4 of Article VI of the Constitution of the State of Texas so as to repeal the provision making payment of a poll tax a requirement for voting, authorizing the Legislature to provide for the registration of all voters, and authorizing members of the armed forces of the United States or component branches thereof who meet all of the requirements established for voting to vote on the same basis as all other persons.

To the Committee on Constitutional Amendments.

By Senator Spears:

S. J. R. No. 12, Proposing an amendment to Article VIII of the Constitution of the State of Texas by adding a new section to be known as Section 21, granting local taxing units the option to exempt improvements and personal property from taxation in whole or in part.

To the Committee on Constitutional Amendments.

#### Senate Concurrent Resolution 7

Senator Colson offered the following resolution:

S. C. R. No. 7, Requesting Governor to re-designate Texas Surplus Property Agency.

Whereas, Toward the end of World War II the Governor of Texas, acting under his war emergency powers, set up a State Agency to obtain from the Federal Government, by gifts and grants, badly needed war surplus materials for the use and benefit of public schools and state institutions of higher learning, such channel being the only official route by which many items of badly needed equipment and supplies could be obtained at the end of said War and immediately following its conclusion; and

Whereas, The original Agency and its successor, currently styled the "Texas Surplus Property Agency," has been extremely successful in acquiring many millions of dollars worth of surplus property for public schools, institutions of higher learning, civil defense units, and public health institutions of this state, the operation of the Agency being without any cost whatsoever to the State of Texas; and

Whereas, From 1946 when the pro-

gram was inaugurated, through June 30, 1964, Texas received surplus real and personal property having an acquisition cost of approximately Three Hundred Twenty Million Dollars (\$320,000,000) through the activities of the Agency and through other donation and acquisition programs of the Federal Government; and

Whereas, Under Federal Law, such an Agency must be designated by each state in order to have an official channel through which surplus property may flow; and

Whereas, The rate of flow of surplus property to the several states is currently at a high rate and it is anticipated that the rate will increase over the next two (2) years; now, therefore, be it

Resolved, By the Senate, and the House of Representatives concurring, That the Governor be and he is hereby empowered to redesignate the Texas Surplus Property Agency for continuation in the fiscal years 1965-66 and 1966-67, its functions to be as in the present biennium; that said Agency shall be composed of nine (9) members appointed by the Governor, to serve without compensation for the two-fiscal-year period, such members to be selected from schools, higher educational institutions, hospitals and health units, and appropriate state departments and agencies; and that the Chairman of said Agency shall be selected by the members thereof at its first regular meeting after appointment; and, be it further

Resolved, That members of said Agency designated by the Governor to serve from state institutions, departments, boards or agencies shall in no wise be considered as holding two offices under the state; and, be it further

Resolved, That said Agency shall have authority to make such rules, regulations, and charges, and to employ such staff, as may be necessary to continue to acquire by gift, grant, or purchase and to distribute to eligible recipients, designated by Federal Law, needed Federal surplus real and personal property; and, be it further

Resolved, That said Agency shall have authority to rent, under lease if necessary, office and warehouse space needed to provide the means for obtaining the best and most equitable distribution of Federal surplus property over the state; and provided further, that no funds whatsoever shall

be appropriated by the Legislature for the operation of said Agency, but the State Auditor shall make an audit annually of the Agency's accounts and operations.

The resolution was read.

On motion of Senator Colson and by unanimous consent the resolution was considered immediately and was adopted.

#### At Ease

The President announced at 10:08 o'clock a.m. that the Senate would stand At Ease Subject to the Call of the Chair.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 10:17 o'clock a.m.

#### Senate Resolution 19

Senator Strong offered the following resolution:

Whereas, on January 24, 1915, the people of Childress, Texas, rejoiced on the union in marriage of Neal Dow Rogers and Guletta Fromm, highly regarded members of prominent pioneer families; and

Whereas, Mr. and Mrs. Neal Dow Rogers have through their exemplary lives justified the high expectations which the people of Childress and the entire area voiced upon this union; and

Whereas, there was born, to such union one son, Andrew Jacob Rogers, our illustrious colleague, whom we know as the distinguished Senator from Childress; and

Whereas, On Sunday, January 24, 1965, Mr. and Mrs. Neal Dow Rogers will be honored by their son and other family members with a reception honoring their Fiftieth Wedding Anniversary at the Woman's Department Club in Childress between the hours of 2 and 4 p.m.; now, therefore, be it

Resolved, by the Senate of the State of Texas, that the official congratulations of the Senate be extended to Mr. and Mrs. Neal Dow Rogers on their fiftieth wedding anniversary.

#### STRONG

Signed—Preston Smith, Lieutenant Governor; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton,

Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Watson, Word.

The resolution was read.

On motion of Senator Hightower and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Adjournment

On motion of Senator Parkhouse the Senate at 10:21 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, January 25, 1965.

#### FIFTH DAY

(January 25, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

#### Absent—Excused

Cole

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Cole was granted leave of